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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/740,952	12/21/2000	Lieve Maria Marcella Rosemarijn Bos	Q62246	6288

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EXAMINER

BRANCOLINI, JOHN R

ART UNIT	PAPER NUMBER
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2153

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DATE MAILED: 06/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/740,952

Applicant(s)

BOS ET AL.

Examiner

John R Brancolini

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claims 1-10 are pending in the application.

Priority

Priority claimed to EPO 99403269.6. The effective filing date is December 23, 1999.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Itao et al. (T. Itao and M. Matsuo, DANSE: Dynamically Adaptive Networking Service Environment, published in The Bridge to Global Integration, IEEE, Volume 2, Nov 1998, Pages 785-791), hereinafter referred to as Itao.

In regards to claim 1, Itao discloses a processing environment determining device for inclusion in a telecommunication network, characterized in that said processing environment determining device comprises a first which retrieves at least one processing capability information associated with any one of a terminal (figure 1 shows an outline of the system, including various components, such as a retriever of user requirement information), a network element of a sub-network and a service

provider equipment of a service provider of said telecommunication network (a service logic provided is shown in a sub-network in Figure 1); and said processing environment determining device further comprises an appointing device coupled to said first retriever to appoint, for a predefined service of a predefined client, according to predefined rules and conditions, and according to said processing capability information, one or more out of said terminal, said network elements and said service provider equipment, and to determine thereby an appointed processing environment that has to be used to execute said predefined service (page 786, section 3 DANSE Overview, provides information on a Coordinator, which uses information sent from various resources to match a user with a proper environment based on the user requirements).

In regards to claim 2, Itao discloses the processing environment determining device according to claim 1 (see claim1 discussion above), characterized in that said predefined rules and conditions are at least partly determined by any one of:

- User requirements and user preferences of a user that uses said terminal.
- Operator requirements and operator preferences of an operator that exploits said network element.
- Service provider requirements.
- Service provider preferences of a service provider that operates said service provider equipment.

(Page 786, Section 3 lists several sources of information, including receiving user requirements, operator requirements for the system from the service provider, and

preferences from the service provider as to the user matching rules and registration information).

In regards to claim 3, Itao discloses the processing environment determining device according to claim 1 (see claim 1 discussion above), characterized in that said processing environment determining device comprises a second retriever retrieving any one of said user requirements, said user preferences, said operator preferences, said server provider requirements, said service provider preferences from any one of said terminal, said network elements and said service provider equipment in order to update said predefined rules and conditions accordingly (Figure 2 on page 787 shows the service environment, including multiple receiving means on the DANSE system for receiving information from various sources, such as service providers).

In regards to claim 4, Itao discloses the processing environment determining device according to claim 1 (see claim 1 discussion above), characterized in that said first retriever retrieves said processing capability information from any one of a terminal capability server of said terminal via predefined terminal application open signals and a network service capability server of a sub-network via predefined network application open service architecture signals (Section 3.1, page 786, briefly shows how a user sends open signals to DANSE, and the DANSE server receives the signals for processing).

In regards to claim 5, Itao discloses the processing environment determining device according to claim 1 (see claim 1 discussion above), characterized in that said processing environment determining device is comprised in any one of a terminal, a sub-network being any one of a home network, a visited network and a intermediate network of said telecommunication network and a service provider equipment (Figure 1 on page 786 shows a user terminal communicating with the DANSE network, which includes service provider equipment).

In regards to claim 6, Itao discloses the processing environment determining device according to claim 1 (see claim 1 discussion above), characterized in that said first retriever retrieves processing capability information that is associated with any one of a User Service Identity Module of said terminal and a terminal equipment of said terminal (the user sends the user requirements to the receiver, which includes information related to the terminal equipment the user is utilizing, page 786 section 3.1).

In regards to claim 7, Itao discloses a terminal capability server of a terminal to be used in a telecommunication network, said terminal capability server adapted to translate first application signals into first predefined terminal application open signals and to translate second predefined terminal application open signals into second application signals, characterized in that said first predefined terminal application open signals and said second predefined terminal application open signals comprises a processing capability environment determining device according to claim 4 (see claim 4

discussion above for limitations of the claim, section 3.1 on page 786 shows that the DANSE server receives information from the user, the first open signals, as well as information from the service provider, the second open signals, which are both used to comprise the process environment determining device, see also figure 1).

In regards to claim 8, Itao discloses a network service capability server of a sub-network of a telecommunication network, said network service capability server adapted to translate first application signals into first predefined network application open service architecture signals and to translate second predefined network application open service architecture signals into second application signals, characterized in that said first predefined network application open server architecture signals and said second predefined network application open service architecture signals comprise processing capability information in order to be forwarded to a processing environment determining device according to claim 4 (see claim 4 discussion above for limitations of the claim, section 3.1 on page 786 shows that the DANSE server receives information from the user, the first open signals, as well as information from the service provider, the second open signals, which are both used to comprise the process environment determining device, see also figure 1).

In regards to claim 9, Itao discloses a telecommunication network, characterized in that said telecommunication network comprises at least one processing environment determining device according to claim 1 (see claim 1 discussion above).

In addition to disclosing the limitations of claim 1, Itao also discloses the device used in a telecommunications network (see abstract, page 785).

In regards to claim 10, Itao discloses a method to be used by a processing environment determining means of a telecommunication network, characterized in that said method comprises the steps of: retrieving by a first retrieving means one or more processing capability information associated to any one of a user terminal (figure 1 shows an outline of the system, including various components, such as a retriever of user requirement information), a network element of a sub-network and a service provider equipment of a service provider (a service logic provided is shown in a sub-network in Figure 1); and appointing by an appointing means for a predefined service of a predefined client, according to predefined rules and conditions, and according to said processing capability, one or more out of said terminal, said network elements and said service provider equipment to determine thereby an appointed processing environment that has to be used to execute said predefined service (page 786, section 3 DANSE Overview, provides information on a Coordinator, which users information sent from various resources to match a user with a proper environment based on the user requirements).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Low (US Patent 6282281), a method of providing telecommunications services which includes steps for determining the user requirements for establishing a processing connection.
- Evans et al. (Mobility Considerations for Integrated Telecommunication Service Environments:, Evans, Furnell, Phippen, Reynolds:, Telecommunications 1998, 29 March-1 April, Conference Publication 451), various service architectures for telecommunications systems, including ones which register user requirements for determining connection methods.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John R Brancolini whose telephone number is (703) 305-7107. The examiner can normally be reached on M-Th 7am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (703) 305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



Dung C. Dinh
Primary Examiner

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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